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Attorney for Plaintiffs, **DIANA SANTOS and EDWARD CHAVEZ**

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

In the matter of:

**DIANA SANTOS and EDWARD  
CHAVEZ,**

Plaintiffs,

v.

**DRAKE WIEST**, in his individual capacity  
and in his official capacity as a police  
officer for **CITY OF FAIRFIELD**; and  
DOES 1-50, inclusive, individually and in  
their official capacities as peace officers  
for **CITY OF FAIRFIELD**, jointly and  
severally,

Defendants.

**Case No. 2:22-cv-01856-DJC-AC**

**STIPULATED ORDER TO AMEND CASE  
SCHEDULE**

**I. OFFER OF GOOD CAUSE FOR REQUESTED AMENDMENT TO THE CASE  
SCHEDULE**

Plaintiffs Diana Santos and Edward Chavez, by and through their attorney of record, as well  
as Defendant Drake Wiest by and through his attorney of record, hereby stipulate to the  
following:

This case is not scheduled for trial until January 6, 2025, yet the discovery cutoff deadline is set for January 1, 2024 (ECF 7). No depositions have been scheduled as of November 1, 2023. Notably, Defendant and defense counsel were not available due to preexisting, unavoidable conflicts which resultantly limited availability to November and December which is also exacerbated by the holidays. Plaintiff was provided dates of availability for Defendant Drake Wiest but has yet to set as still under review for potential scheduling conflicts. The parties consider that the remaining 65 days until the discovery cutoff deadline are not enough to complete a thorough exchange of discovery, including scheduling and taking of multiple depositions, nor adequately prepare the necessary expert disclosures with sufficient time.

This is the first request by the parties for a continuance of the Court's scheduling order in this matter.

WHEREAS no party will be prejudiced by the proposed Fact and Expert Discovery deferment below, nor are any key substantive dates of the Court affected. These extensions sought will not impact the Pretrial or Trial dates.

THEREFORE, for good cause, the parties stipulate that, subject to the Court's approval, the Case Management Schedule should be modified as follows:

<u>Event</u>	<u>Current Date/Deadline</u>	<u>Proposed Date/Deadline</u>
Fact Discovery Cut-Off	January 1, 2024	<b>April 5, 2024</b>
Expert Disclosures	February 1, 2024	<b>April 19, 2024</b>
Rebuttal Expert Disclosures	February 15, 2024	<b>April 26, 2024</b>
Expert Discovery Cut-Off	April 1, 2024	<b>May 24, 2024</b>
Last Day to File Dispositive and <i>Daubert</i> Motions	May 17, 2024	<b>June 28, 2024</b>
Dispositive Motion Hearing	N/A	<b>August 8, 2024 at 1:30 p.m.</b>
Pretrial Conference	November 5, 2024 at 1:30 p.m.	<b>No Change</b>
Jury Trial	January 6, 2025 at 9:00 a.m.	<b>No Change</b>

Based on the foregoing the parties respectfully ask the court to approve the following requested stipulated order.

Dated: 11/1/2023

**LAW OFFICES OF JUSTIN KIRK TABAYOYON**

By:       /s/ Justin K. Tabayoyon        
**JUSTIN KIRK TABAYOYON**  
*Attorney for Diana Santos and Edward Chavez*  
*(Electronically Signed)*

Dated: 11/1/2023

**MCNAMARA, AMBACHER, WHEELER, HIRSIG  
&GRAY LLP**

By:       /s/ Noah G. Blechman        
**NOAH BLECHMAN**  
**JOHN SWAFFORD**  
*Attorney for Drake Wiest*  
*(Electronically Signed)*

**ELECTRONIC CASE FILING ATTESTATION**

I, Justin Kirk Tabayoyon, am the ECF user whose identification and password are being used to file the foregoing documents. Pursuant to Civil Local Rule 131(e), I hereby attest that concurrence in the filing of these documents has been obtained from each of its Signatories.

**ORDER**

Having considered the Parties Stipulation, and for good cause shown, the Parties' Stipulation is GRANTED. The modified schedule is set forth below.

<u>Event</u>	<u>New Date/Deadline</u>
Fact Discovery Cut-Off	<b>April 5, 2024</b>
Expert Disclosures	<b>April 19, 2024</b>
Rebuttal Expert Disclosures	<b>April 26, 2024</b>
Expert Discovery Cut-Off	<b>May 24, 2024</b>
Last Day to File Dispositive and <i>Daubert</i> Motions	<b>June 28, 2024</b>
Pretrial Conference	<b>No Change</b>
Jury Trial	<b>No Change</b>

**IT IS SO ORDERED**

Dated: November 1, 2023

/s/ Daniel J. Calabretta

THE HONORABLE DANIEL J. CALABRETTA  
UNITED STATES DISTRICT JUDGE